

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JAMAR BAKER,

Petitioner,

-v-

UNITED STATES OF AMERICA,

Respondent.

16 Civ. 4433 (PAE)

14 Cr. 512-1 (PAE)

ORDER


PAUL A. ENGELMAYER, United States District Judge:

On October 7, 2019, the Court resentenced defendant Jamar Baker in case S1 14 Cr. 512 (PAE). The Court imposed sentence solely on Count One, which charged Hobbs Act conspiracy in violation of 18 U.S.C. § 1951. At the same hearing, the Court vacated Baker's conviction on Count Two, which charged possession of a firearm during and in relation to a crime of violence, in violation of 18 U.S.C. § 24(c). Because Count Two had identified the crime of violence as the Hobbs Act conspiracy, and because such a conspiracy does not qualify as a crime of violence under *United States v. Davis*, 139 S. Ct. 2319 (2019), the Court, prior to resentencing Mr. Baker, vacated his conviction on Count Two.

In light of the vacatur of Mr. Baker's conviction on Count Two and his resentencing on the surviving count, Mr. Baker has received the relief he sought in his related petition pursuant to 28 U.S.C. § 2255. *See* 16 Civ. 4433 (PAE). The Court accordingly directs the Clerk of Court to close case 16 Civ. 4433 (PAE).

SO ORDERED.

Dated: November 22, 2019  
New York, New York

  
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PAUL A. ENGELMAYER  
United States District Judge